

NYCLU

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It can happen here . . .

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New York
Civil
Liberties
Union

NYCLU

The New York Branch of the American Civil Liberties Union

84 FIFTH AVENUE, NEW YORK, N.Y. 10011

PULL
HERE

T NELSON
458 W 20TH ST 80
NEW YORK NY 10011

Dear Fellow New Yorker:

- * At New York colleges, army intelligence agents pose as students to compile dossiers on teachers. In Illinois, army agents maintain dossiers on elected public officials, including Adlai Stevenson III.
- * In New York, a state training school keeps a 13 year old girl in solitary confinement indefinitely, in a 5' x 8' stone-walled room, without furniture or fresh air.
- * On Long Island, the District Attorney says he will prosecute anyone wearing a button displaying a peace symbol on the American flag.

What can you do?

You can join the ACLU. By doing so, you will help bring such flagrant violations of law before the courts and encourage legislative action to combat these threats to liberty.

Due to our efforts, a federal court order stopped the Long Island District Attorney from prosecuting people for wearing peace buttons. Another federal court order obtained by the NYCLU stopped state training schools from keeping children in solitary confinement. And the ACLU has started lawsuits to stop army surveillance of citizens.

We can be effective in resisting threats to individual liberty, but our resources are sorely strained. We need your help.

Virtually all our support comes from individual membership contributions. (27,000 people already belong in New York, 150,000 nationwide.) Please use the postpaid envelope above to join NYCLU-ACLU now. I hope you will join with a contribution of \$15, \$25 or more, but join with whatever you can.

Now is not the time to stand aside from the fight to maintain individual liberties. If the ACLU isn't able to help, who else will?

Sincerely,
Ira Glasser
Ira Glasser
Executive Director

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ACLU

Civilian and military intelligence agencies are spying on tens of thousands of law-abiding citizens — collecting, swapping and storing detailed data on their political and private lives. By the very act of snooping, these agencies caution the people. They warn they may sometime employ their force against individuals who lawfully use their freedoms of speech, conscience, press and assembly. The threat creates fear. Fear chills political dissent. And the chilling of dissent cracks the foundation of a democratic society, expanding the power of government beyond its lawful bounds to control its master, the people. The American Civil Liberties Union is dedicated to preserving the foundations of democracy. The ACLU is determined that the people shall think, speak and live freely and fearlessly.

**This is what
the ACLU is doing to
stop surveillance.**

The new technology has made it literally impossible for a man to start again in our society. It has removed the quality of mercy from our institutions by making it impossible to forget, to forgive, to understand, to tolerate. When it is used to intimidate and to inhibit the individual in his freedom of movement, associations, or expression of ideas within the law, the new technology provides the means for the worst sort of tyranny. Those who so misuse it to augment their own power break faith with those founders of our Constitution who, like Thomas Jefferson, swore upon the altar of God eternal hostility against every form of tyranny over the mind of man.

—Senator Sam Ervin, *Congressional Record*, September 8, 1970

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Photo by Robert Berger



**Surveillance:
Is This the Law?**

Army Spying. ACLU branches are arguing two lawsuits, both before federal appellate courts, urging the destruction of the Army's computerized files on an estimated 18,000 civilians and the halting of future spying on law-abiding persons the Army considers radical or subversive—i.e., those who have expressed discontent with Administration policies. The Army admits it has a list of a million and a half political suspects. A national lawsuit of the ACLU Foundation attacks the Army's use of 1,200 agents for domestic spying and the maintenance of three computerized banks of data on dissenters. A lawsuit of the Illinois ACLU attacks Army spying on 800 civilians in that state, including political leaders. Both suits seek to insure that military forces will serve, not supervise, a civilian-controlled government. Despite its promises, the Army still engages in spying that serves no proper military purpose.

Federal Espionage. At least 20 federal agencies engage in surveillance. Chief among them is the FBI, with some 2,000 agents investigating political activities. Others are the Internal Revenue Service; the Department of Health, Education and Welfare (with ghetto monitoring units); the Secret Service; and the Civil Service Commission. The Law Enforcement Assistance Administration is providing federal grants to state surveillance units so they can collect information on protestors and disseminate it among police agencies. The ACLU Foundation is investigating the scope of these systems, and the Oklahoma CLU has sued to dismantle an LEAA funded surveillance network operated by the Oklahoma State government.

Police Dossiers. Urban "Red Squads" and their suburban satellites, as well as county and state intelligence units, maintain detailed dossiers on the identities, associations and activities of citizens and organizations they suspect of "radical" behavior or tendencies. Church and civic groups—as well as groups with political purposes—have been caught in the net. The dossiers indiscriminately mix fact, fiction, rumor and gossip about public and private affairs. Many are stored in computerized banks. Data is shared among intelligence agencies and is sometimes given to the press, employers, landlords and others who have power to harass and harm law-abiding dissenters. ACLU branches have instituted legal actions against these intelligence units in all parts of the country, asking destruction of the dossiers and court orders prohibiting police spying on lawful activities.

Photography, Licensing. A variety of techniques are used by police agencies to keep tabs on dissenters. These techniques intimidate protestors and yield information that is later compiled, filed and disseminated to weave webs of suspicion around persons engaged in innocent activities. Among the techniques challenged in ACLU lawsuits are police photography of persons who attend political rallies; and regulations that force persons who wish to demonstrate to give public licensing agencies details about their organization, its membership, its activities, its purposes. Both practices have been subjected to CLU legal actions throughout the country. One photography case, against the New Orleans police, is now pending before a federal appellate court. The CLU has successfully defended many dissenters who have been arrested for violating unconstitutional licensing regulations.

Wiretapping. An ACLU Foundation lawsuit, pending before a federal appellate court, sharply challenges the contention of U.S. Attorney General John Mitchell that the Justice Department and FBI, without court authorization, may tap the telephones of United States citizens whose activities they consider a threat to national security. The government has overstepped its power to stop foreign espionage by recording the conversations of domestic political dissenters. The ACLU has already won federal court recognition of the right of suspects in criminal cases to review all wiretap evidence that may be used against them, and courts may authorize police wiretapping only in strictly limited circumstances.

Infiltration. Intelligence agencies are training and using professional and amateur informers. These spies not only report on the organizations they infiltrate—they often instigate or perform illegal acts to discredit the groups and frame their members. The ACLU is unmasking the informers and exposing their roles. In one New York CLU defense of a black militant group, the jury decided a police infiltrator was responsible for the illegal acts and the accused dissenters were innocent of all but one minor charge. In another CLU case Alabama university students were ordered to disperse a peaceful demonstration because an agent, posing as a radical student, committed arson. The students were arrested.